

REMARKS

Reconsideration and allowance of the claims are requested.

New claim 15 is directed to a device for the evaporation of active substances, in which the connection of a second heating resistor and the operation of a fan are controlled by a push button, so that when the push button is activated, the second heating resistor is powered and the fan is either powered by means of the push button or its speed is increased. These two alternatives, are specified in claims 16 and 17, respectively.

New claim 15 further points out that the airflow from the fan is directed through the upper portion of the wick to cooperate in the evaporation and diffusion of the active substance.

The claims, as amended, particularly point out new and unobvious features of the invention which are not suggested by any references. Particularly, claim 15 points out several new and unobvious features which are not suggested by any references, and which particularly are not suggested by Vieira and Pedrotti.

Claim 15 points out that a boost mode of operation is obtained by the combined action of a second heating resistor and a fan creating airflow at the upper portion of the wick, so as to increase the evaporation and the effective range of diffusion of the evaporated substance.

The problem being addressed may be regarded as how to provide a boost operation mode in an evaporation device in such a way that the increase in the amount of heat applied to the wick will not deteriorate the properties of the substance being evaporated (such as fragrances), and at the same time result in an immediate perception by the user of an increase in the effect of the fragrance.

It should be borne in mind that the performance of an evaporation apparatus, from the user's point of view, can be quantified by means of the intensity (of the aroma, for

instance) and the reach (or action range) from the location of the apparatus. From the design point of view, these two parameters are the result of the evaporation rate and the "projection" of the volatile product.

In the case of devices without a fan (such as Vieira), the evaporation rate is controlled by controlling the wick temperature. However, an increase in the wick temperature not only alters the evaporation rate but also alters the composition of the products being evaporated. In fact, evaporation by heating causes a distillation phenomenon in fragrances where the most volatile components of the fragrance evaporate more quickly than the less volatile components. This can cause denaturalization of the perfume detected by the user. Consequently, in a device like Vieira, only a reduced amount of heat can be applied to the wick, if degradation of the fragrance is to be avoided.

Moreover, in the case of Vieira, the "projection" of the perfume and the action range within the room are not greatly affected by a slight temperature increase. Only the phenomenon of convection, which is much less sensitive to a temperature increase than the evaporation rate, would be affected.

Vieira is completely silent as to the use of a fan in cooperation with heating means.

However, in the present invention, the above-described problem is solved by combining the effect of an additional heating resistor and the speed of a fan arranged to provide an airflow across the evaporation area of the wick.

Existing devices with a fan associated with heating elements typically are designed to prevent the airflow from passing through the heating area, because it is known that a cold airflow over a hot element causes the latter to cool, thereby reducing the degree of evaporation and thus modifying the desired operation of the device.

For this reason, in Pedrotti, the fan is configured to avoid airflow being directed to the upper portion of the wick. As can be seen, for instance, in Figures 6 and 9 of Pedrotti, the fan 260 is arranged in the casing so as to provide an airflow above the wick. In fact, Pedrotti is provided with louvers 300 angled upwardly in order to direct the airflow away from the wick (*see*, col. 5, ll. 14-19 and Fig. 10).

Consequently, Pedrotti teaches away from a fan generating an airflow directed to the wick.

Besides, Pedrotti is silent as to the connection of a second heating resistor by means of a push button to increase the evaporation and diffusion of the active substance.

Thus, one skilled in the art would not be prompted by Pedrotti to provide in Vieira a fan arranged to direct airflow to the wick, so that a boost effect is obtained by the combination of the airflow and the connection of a second heating resistor.

If one skilled in the art were to attempt to combine the teachings of Vieira and Pedrotti as suggested by the Examiner, he would arrange the fan in such a manner that the wick is not affected by the airflow.

The person skilled in the art would not receive any hint or suggestion from Pedrotti or Vieira to connect the fan or to increase the speed of the fan at the same time that the second heating resistor is connected, so that the boost operation is the combined effect of the fan and a second resistor.

In a device obtained as a result of the combination of Pedrotti and Vieira as proposed by the Examiner, the boost operation (if any) would be noted very slowly because it would be obtained exclusively by the connection of the second resistor. If the heat at the wick was kept low in order to avoid distillation problems, the degree of evaporation would likewise be low. On the other hand, for a significant increase in evaporation to be obtained, the heat at the wick would have to be increased causing potential deterioration of the fragrance.

Pankhurst is silent as to a boost operation mode, in which the connection of a second resistor and the operation of a fan are controlled by a single button.

In the claimed invention, the combination of the fan (electric connection or speed increase) and the connection of the second resistor, may be adapted to maintain an optimum temperature in the wick that is similar or close to that of the device without a boost operation, and therefore the same distillation conditions and the same aroma, and at the same time greater "projection" within the area may be obtained.

The remaining claims depend from claim 15 and distinguish the invention from the references in the same manner as claim 15, and additionally distinguish the invention from the references by other features recited in the dependent claims.

Because the invention is new and unobvious, and because new and unobvious features of the invention have been specifically set forth in the claims, and because the references do not suggest those new and unobvious features, reconsideration and allowance of the claims are requested.

Applicants have included a check in the amount of \$450.00 to cover the extension fees required by this Amendment. However, if any additional fees are due, please charge our Deposit Account No. 06-2425. A duplicate copy of this paper is enclosed.

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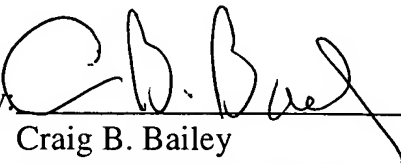
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Should the Examiner have any questions concerning this Amendment, Applicants request the Examiner to contact the Applicants' attorney, Craig Bailey, at (310) 824-5555.

Respectfully submitted,

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